

Remarks

The following remarks are responsive to the Office Action dated July 15, 2004. Applicants respectfully request the Examiner's reconsideration of the present application as amended.

Drawings

The drawings have been objected to under 37 CFR § 1.83(a). In Figure 3A (vi) a reference 67 has been added, and the specification has been amended to illustrate and describe exemplary first, second, and third device areas. No new matter has been added. Applicants believe that the amendment to Figure 3A and the specification now provides proper antecedent support for independent claim 1 and the other claims, and respectfully request withdrawal of the drawing objection.

Figure 2B has been amended to improve clarity.

Figure 2C has been amended to improve consistency with the drawings in Figures 3A and 3B. The LOGIC GATES and EEPROM CELL drawings in Figure 2C have been switched or reversed to better correspond with the cross-sectional views presented in Figures 3A and 3B. In addition, the select gate in Figure 2C has been amended to correspond to the drawings in Figures 3A and 3B. No new matter has been added.

Figures 3A (ii) and 3B (ii) have been amended for clarity. No new matter has been added.

The drawings are also objected to as failing to comply with 37 CFR § 1.84(p)(5). Applicants would like to thank the Examiner for the phone conversation on August 3, 2004, and acknowledge that an error was made by the Examiner in the 37 CFR § 1.84(p)(5) objection. No reference signs were stated by the Examiner as a basis for an objection. Therefore, Applicants respectfully request withdrawal of the objection.

Specification

Item a) Title

The title is objected to based on non-descriptiveness.

A new title is presented above which Applicants believe is sufficiently descriptive of the invention. Applicants therefore respectfully request that the amended title be entered and the objection withdrawn.

Item b) Abstract

The Abstract is objected to as not clearly indicating the invention to which the claims are directed.

A new Abstract is presented above which Applicants believe clearly indicates the invention to which the claims are directed. Applicants therefore respectfully request that the new Abstract be entered and the objection withdrawn.

Item c) Specification - Description

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter in independent claims 1 and 12.

The specification has been amended as indicated above, and includes exemplary first, second, and third device areas. The specification corresponds to exemplary Figures 3A and 3B, providing antecedent bases for independent claims 1 and 12 and the claims which depend on them. No new matter has been added. Applicants therefore respectfully request withdrawal of the specification objection.

Item d) Specification - Description

Based on the specification objection related to dependent claims 13-15, claims 13-15 have been amended to correspond with the invention description and now properly reference claim 12 (see below). Applicants respectfully request withdrawal of the objection.

Claims

Claims 1-6 and 12-15 have been amended. Claims 10 and 11 have been cancelled. Claims 25-27 have been added. No new matter has been added.

Dependent claims 5, 6, 13, and 15 have been rejected based on 35 USC § 112 as being not clear for examination, or failing to provide sufficient antecedent basis.

Dependent claims 5, 6, and 13 have been amended to improve clarity, and now properly reference a first oxide layer. In addition, dependent claim 15 has been amended, and now properly references a floating gate layer.

Dependant claims 13-15 and/or the specification have also been objected to for clarity or improper reference. Dependent claims 13-15 have been amended to include correct references to claim 12.

Applicants believe that the objection and rejection of claims 5, 6, and 13-15 have been overcome by the amendments, and therefore respectfully request that both the objection and rejection be withdrawn.

Additionally,

Independent claims 1 and 12 have been amended to include an isolation structure and also amended to correspond with other verbiage in the specification.

Similarly, all of the claims that depend on independent claims 1 and 12 have been amended to provide proper antecedent bases.

Independent claims 1 and 12 have been amended to include first, second, and third device areas, to correspond with verbiage in the specification.

From the above, Applicants respectfully submit that pending claims 1-9 and 12-15 as amended, and new claims 25-27, with the drawing and specification amendments, overcome the objections and rejections presented and are in condition for

allowance. Applicants therefore respectfully request allowance of the application.

If a telephone interview would expedite the prosecution of this application, the Examiner is invited to contact Applicants' representative at the number provided below.

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signed: Sally Azevedo
Typed Name: Sally Azevedo
Date: August 20, 2004

Respectfully submitted,

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ANNOTATED MARKED-UP DRAWINGS

2/3

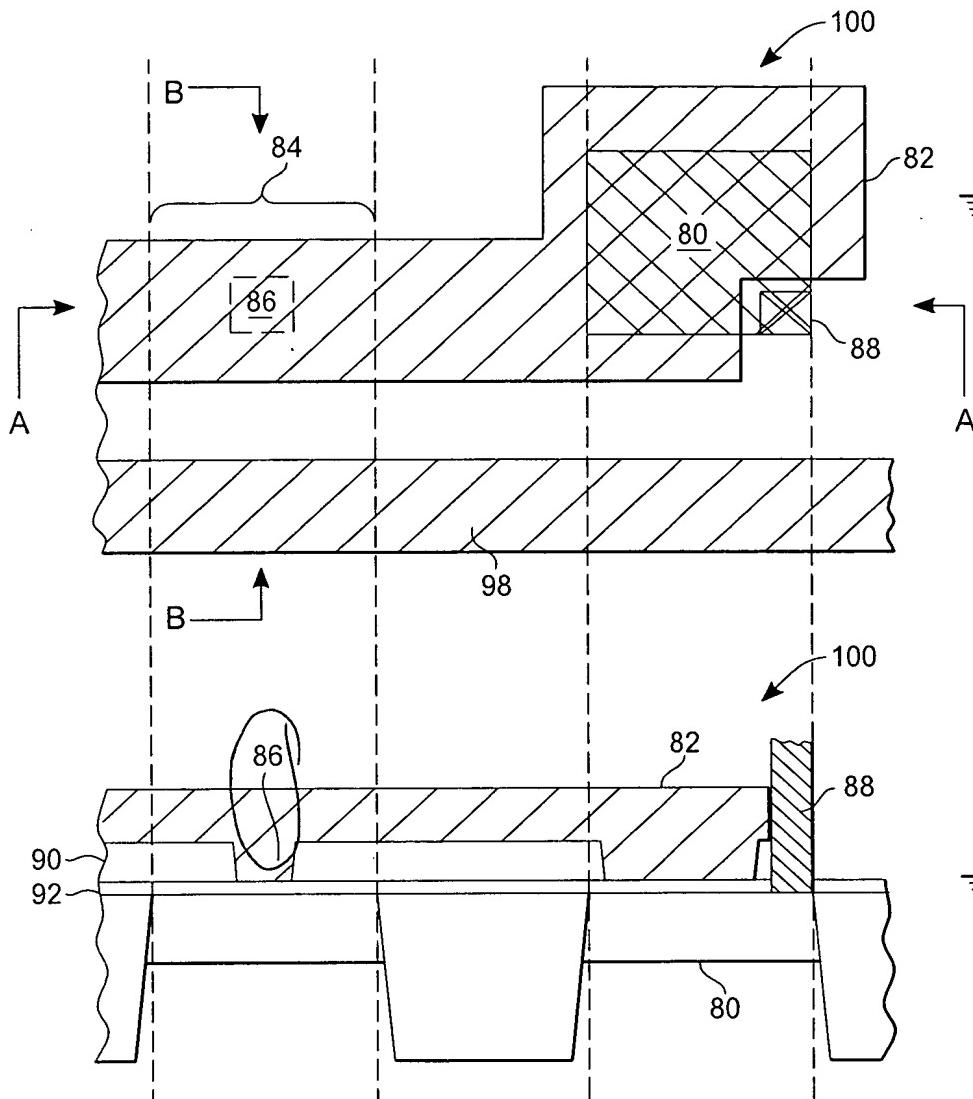


Fig._ 2A

EEPROM CELL (A-A)

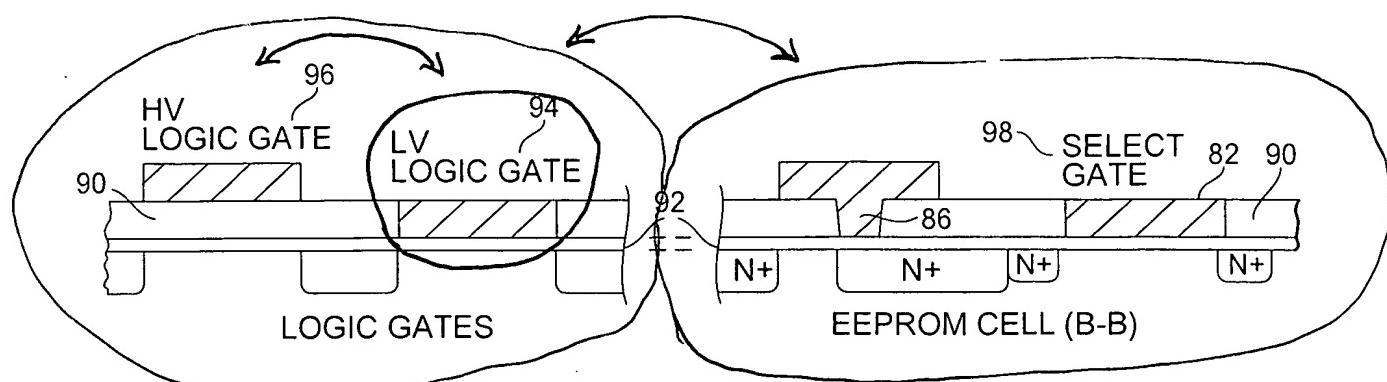


Fig._ 2C

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ANNOTATED MARKED-UP DRAWINGS

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